

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

In Re: ROMAN CATHOLIC ARCHBISHOP
OF PORTLAND IN OREGON,

3:14-MC-133-PK

OPINION AND
ORDER

HERNANDEZ, District Judge;

PAPAK, Magistrate Judge:

This action was filed April 7, 2014, in connection with the dispute between interested party GWB and movant Roman Catholic Archbishop of Portland in Oregon (the "Archbishop"). This court has jurisdiction over this action pursuant to 28 U.S.C. § 1334(b), based on the relatedness of these proceedings to *In re Roman Catholic Archbishop of Portland* ("RCAP"), 04-37154, a case arising under Title 11 of the United States Code. Specifically, this action is subject to the future claims trust provided for in the Third Amended and Restated Joint Plan of Reorganization (the "Plan") confirmed in *RCAP*, which, in relevant part, sets a \$20 million cap on the total funds available to pay all claims made against the Archbishop through 2023.

Now before the court is the Archbishop's unopposed motion (#1) to approve settlement of the interested party's claims and to approve payment to the interested party from the future claims trust. For the reasons set forth below, the motion is granted and the settlement is approved.

GWB and the Archbishop have agreed to settle their dispute through a payment to GWB of \$15,000 from the future claims trust. Pursuant to section 6.4.5 of the Plan, the parties' settlement, and therefore payment to GWB out of the future claims trust, is subject to this court's approval.

Section 11.8 of the Plan requires that notice of any motion to approve a settlement subject to the future claims trust be served on all plaintiffs with pending or otherwise unpaid claims against the Archdiocese and Archbishop, Future Claimants Representative David A. Foraker, and Known Tort Claims Trustee and Future Claims Trustee Union Bank of California. Section 11.8 further provides that all notified parties must be provided at least 20 days (plus an additional 3 days if notice is served by mail) in which to file objections, if any, to any such motion.

On April 7, 2014, the Archbishop served the requisite notice by mail on all of the necessary parties. The period for filing objections to this court's approval of the parties' settlement lapsed May 1, 2014. No objection to this motion has been filed.

In the absence of objection by any interested party, and in consideration of the size of the payment at issue relative to the amount remaining in the future claims trust fund, the undersigned find no reason exists to refuse approval of the parties' settlement. The defendant's motion is therefore granted, and the subject settlement approved.

CONCLUSION

For the reasons set forth above, the motion (#1) to approve the settlement of the interested

party's claims against the Archbishop and to approve payment from the future claims trust is granted, the settlement agreed to by the parties is approved, and payment to GWB of \$15,000 from the future claims trust is authorized. All pending motions are denied as moot.

Dated this 2nd day of May, 2014.

Marco Hernandez
Honorable Marco Hernandez
United States District Judge

Paul Papak
Honorable Paul Papak
United States Magistrate Judge